

Remarks:

This application has been reviewed carefully in light of the Office Action mailed October 3, 2008. In the Office Action, claims 1-3 were rejected under 35 U.S.C. § 102(b), as being anticipated by British Thomson-Houston, U.K. Patent GB 216136. Claims 1-3 were also rejected under 35 U.S.C. § 102(b), as being anticipated by Jespersen, U.S. Patent No. 3,695,577.

The above-recited amendments remove reference numbers from the claims, adjust the claim language to typical U.S. practice (i.e., changing “which” to “configured” and “so” to “such”), and conform the claims with related European application number 03758025.5 (filed Oct. 20, 2003), which has now been granted.

The above-described rejections are addressed as follows.

I. U.S.C. § 102(b) Rejections

Claim 1-3 were rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by the two above-identified references. Claim 1 has been amended to recite that the spring is **adjustably** threaded on the retainer by means of a portion of a reduced diameter which serves as a coupling member **for adjusting the axial position of the spring** relation to said retainer so that the calibrating pre-tension of the spring is adjustable **without thereby influencing the acting length of the spring.**

British Thomson-Houston discloses a spring plug (51) which is connected to one end of a spring, as shown in Fig. 2. The other end of the spring is connected to a spring plug (53), which has a threaded

engagement with screw threads (54) on a sleeve (55). A motor is provided to adjust the pre-tension of the spring.

Although the Thomson-Houston spring plug is adjustable with respect to the sleeve, the spring plug is not adjustably threaded on the spring even
5 if the spring has a reduced diameter into which the spring plug is screwed. Instead, the spring plug is fixed to the spring. Furthermore, the length of the spring is adjusted by actuating the system and thus is very different from the present invention where the position of the spring in relation to the
10 retainer is adjusted, not changing the length of the spring. Thus, Thomson-Houston fails to disclose a spring plug adjustably threaded on a spring.

Jespersen discloses a spring coiled in a conical shape having a reduced diameter portion adjoining a screw thread (43). A spindle (40) can be rotated until a required pressure from the spring is obtained. From the description and the figures, it is clear that the acting length of the spring is
15 changed by rotating the spindle, thereby changing the position of engagement of the spindle with the end of the spring. Jespersen fails to disclose an adjustable retainer as claimed in the present invention, since in Jespersen the position of the end of the spring is adjusted. Thus, the calibrating pre-tension of the spring is not adjustable without influencing the
20 acting length of the spring.

Because the cited references fail to disclose the features of claim 1, as amended, the applicant respectfully requests the § 102(b) rejections of claim 1, and claims 2-3, which depend from claim 1, be withdrawn.

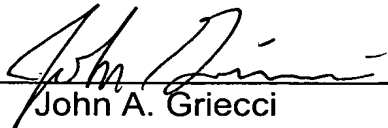
II. Conclusion

In view of the foregoing, the applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

Philippe NOELLE

By:



John A. Griecci

Registration No. 39,694

For: The Law Office of John A. Griecci

703 Pier Avenue, Suite B #657

Hermosa Beach, CA 90254

(310) 376-6527

Application Correspondence Address:

Attn: Chris James, Esq.

Honeywell Turbo Technologies

3201 West Lomita Boulevard

Torrance, CA 90505